

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIIL TKACHEV,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

Case No. C20-532-RSL-MLP

ORDER GRANTING EXTENSION OF
TIME

This is a 28 U.S.C. § 2241 immigration habeas action. Respondent's motion to dismiss is currently noted for June 5, 2020. (Dkt. # 5.) At 12:42 a.m. on June 4, 2020, Petitioner sent an email to the Court's Proposed Orders Email Box that stated in full:

Judge Peterson,

I'm sorry to bother you I know your busy, I would not do so except I ran out of options[.]

I filed a habeas corpus May 13,2020 2:20cv00532-RSL-MLP

I didn't receive the reply from respondent until May 20. I read the court rules and USC laws and determined my reply had to be postmarked no later than May 29. For the noting date June 5[.] Even though I had worked really hard trying to get it done, it's much harder than I realized, I had to mail it before it was completed. I called your clerk May 29 when I realized I wasn't going to have it completed and asked how I could request more time to finish it, like the name of the request or form and she said there really isn't one you just ask. So I am respectfully asking

1 that if you are able and willing would [you] [w]ait until the complete version of
2 my opposition to the motion to dismiss the habeas is filed to note it for
3 consideration. I'm mailing it June 5. It would mean everything to me if you can
but I understand if your unable to. Thank you for your time. Sincerely, Daniil
Tkachev A71043104

4 Emailing the Court is not the proper way to request an extension as the Proposed Orders Email
5 Box is not regularly monitored. In the future, Plaintiff should request an extension of time before
6 the deadline has passed by mailing a written motion to the Court.

7 The Court nevertheless GRANTS Petitioner's motion for extension of time. Although
8 Petitioner indicates that he intends to mail his response on June 5, 2020, the Court will grant him
9 until **June 12, 2020** to mail his response. Given the delays in processing mail at the Court caused
10 by the COVID-19 pandemic, Respondent shall file a reply no later than **five business days** after
11 Petitioner's response is posted on the docket. The Court will direct the Clerk to re-note
12 Respondent's motion to dismiss after Petitioner's response has been filed.

13 The Clerk is directed to send copies of this order to the parties and to the Honorable
14 Robert S. Lasnik.

15 Dated this 8th day of June, 2020.

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17 MICHELLE L. PETERSON
18 United States Magistrate Judge
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